IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 8625 of 2004

Mr.Vijay Vitthal Kasar & Ors. ..Petitioners

vs.

Deputy Manager
Kalyan Dombivli Municipal
Transport Authority & Ors. ..Respondents

Shri Kiran Bapat with Shri N.N.Patil and Shri M.N.Sandhyanshiv for petitioners.

Shri A.S.Rao for respondents.

CORAM: A.P.SHAH &
S.C.DHARMADHIKARI JJ.
23rd DECEMBER,2004

P.C.

1. Heard Advocates.

2. Perused the affidavit of Shri Sanjay Gharat, Deputy Commissioner (Transport), K.D.M.T.

3. Shri Rao, learned Counsel appearing for the Corporation stated that there were serious illegalities committed in the oral interviews of the candidates and, therefore, the Corporation has decided to hold the oral interviews de-novo. He took us through the marksheets in order to demonstrate that the allotment of marks in the oral interviews was totally arbitrary and excess marks have been allotted to certain candidates only with

a view to favour them and certain meritorious candidates have been given no marks or less marks so as to exclude them from selection. In the circumstances, we do not see any reason to interfere with the decision of the Corporation to hold the oral interviews afresh. However, we direct that the interview panel should be headed by the Municipal Commissioner and other members of the panel shall be selected by the Municipal Commissioner himself in order to avoid any charges of favouritism.

4. Petition is accordingly disposed of.